09/849,897

7 May 2001



		Ju
***************************************		$\Box$
The state of the s	 Attains and Danakat Missachan	1

TI	RANS	MITTAL FO	RM	First Named Inventor	Ge	eorge H. Newman
,	(to be used for a	all correspondence after initial fi	ing)	Group Art Unit	262	625
				Examiner Name	Jay	ayanti Patel
Total N	umber of Pag	es in this Submission	3	Attorney Docket Number AFB00565		FB00565
			ENOL	OSURES (check all that ap		
	Fee Transm	nittal Form Attached		Drawing(s)  Licensing-related Papers	<i>(</i>	After Allowance Communication to Technology Center Appeal Communication to Board of Appeals and Interferences
	Extension of Express Aba	r Final lavits/declaration(s)  f Time Request andonment Request Disclosure Statement		Petition  Petition to Convert a Provisional Application  Power of Attorney, Revocation Change of Correspondence Address  Terminal Disclaimer  Request for Refund  CD, Number of CD(s)		Appeal Communication to a TC (Appeal Notice, Brief, Reply Brief)  Proprietary Information  Status Letter  Other Enclosure(s) (please identify below): Response to Notice of Non-Compliant Amendment
	Response to Incomplete Response	ponse to Missing Parts er 37 CFR 1.52 or 1.53				MAY 0 4 2004 Technology Center 2600
Ciena	ı	SIGN	ATURE (	OF APPLICANT, ATTORNEY	OR.	RAGENT
Firm <i>or</i> Individu	ıal Name			WILLIAM G. AUTON, Reg.	No.	o. 31,320
Signatu	ire	M G	2			
Date		19 April 2004				
		***		CERTIFICATE OF MAILING	· · ·	

**Application Number** 

Filing Date

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

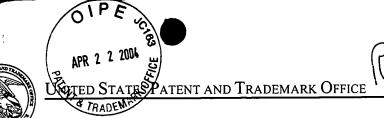
Typed or printed name

Signature

WILLIAM G. AUTON

Date

19 April 2004



UNITED STATES BEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/849,897	05/07/2001	George H. Newman	AFB00565	9978
7:	590 04/02/2004	NX (	EXAM	INER
William G. A	uton	$\sim 10^{0}$	PATEL, JA	YANTI K
ESC/JAZ 40 Wright Stree	et	(20M) y	ART UNIT	PAPER NUMBER
Hanscom AFB,	MA 01731-2903	W .01	2625	Ц
		· Coou	DATE MAILED: 04/02/200	4 <b>J</b>
		y,		
		$\mathcal{O}_{\mathcal{O}}$		
		シ		

Please find below and/or attached an Office communication concerning this application or proceeding.

**RECEIVED** 

MAY 0 4 2004

Technology Center 2600





COMMISSIONER FOR PATENT:
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 145C
ALEXANDRIA, VA 22313-145C
www.usplo.gov

Paper No. 4

## Notice of Non-Compliant Amendment (37 CFR 1.121)

		Notice of Non-Compitant Amendment (37 CTX 1.121)
37 CFI be com docum	R 1.121, a pliant, co ent must	document filed on 3/2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to rection of the following item(s) is required. Only the corrected section of the non-compliant amendment be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's cument must be re-submitted. 37 CFR 1.121(h).
THE F		ING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT: ndments to the specification:  A. Amended paragraph(s) do not include markings.  B. New paragraph(s) should not be underlined.  C. Other
	2. Abstr	A. Not presented on a separate sheet. 37 CFR 1.72.  B. Other
		ndments to the drawings:
	4. Amer	A. A complete listing of <u>all</u> of the claims is not present.  B. The listing of claims does not include the text of all claims (including withdrawn claims)  C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.  D. The claims of this amendment paper have not been presented in ascending numerical order.  E. Other:
		nation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <a href="https://www.nation.org/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf">website at wow/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf</a> .
this lette non-enti changes	er to supp	iant amendment is a <b>PRELIMINARY AMENDMENT</b> , applicant is given ONE MONTH from the mail date of the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in preliminary amendment and examination on the merits will commence without consideration of the proposed eliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this <b>ONE MONTH</b> time limits.

If the non-compliant amendment is a reply to a NON-FINAL OFFICE ACTION (including a submission for an RCE), and since the amendment appears to be a bona fide attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).

If the amendment is a reply to a FINAL REJECTION, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Legal Instruments Examiner (LIE)

Telephone No.